

**Davida Grant**  
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DOCKET FILE COPY ORIGINAL

November 7, 2003

Marlene Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: Notification of Subscriber Transfer  
CC Docket No. 00-257**

Dear Madam Secretary:

Pursuant to Section 64.1120 of the Commission's Rules, this letter provides notification of the planned transfer of certain California local exchange subscribers of In Touch Communications ("In Touch") to SBC California. SBC California will provide all transferred subscribers local exchange and/or local toll services. Each affected subscriber will have notice prior to the transfer. SBC California will begin transferring customers on November 17, 2003.

In Touch Communications was unable to continue providing its customers telecommunications service in the SBC California region. Pursuant to SBC California's agreement with In Touch and to prevent disconnection of service for In Touch customers, SBC Communications began providing In Touch customers local telephone service, for an interim period, on October 24, 2003. It is SBC California's understanding that In Touch provided its customers notification that it would no longer be able to provide them local telephone service. SBC California has provided these customers advance notice that it will become their new provider of telecommunications service beginning November 17, 2003 unless they select another provider. SBC California certifies that it will comply with the obligations specified in the notice and any other applicable statutory and Commission requirements. The notification letter is attached hereto.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Davida Grant".

Davida Grant

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LIG/ABDE

Attachment

November 3, 2003

AFFLACK LOUISE  
5751 BRIDGEHEAD RD  
ANTIOCH CA 94509

Dear Sir or Madam:

Until recently, In Touch Communications (In Touch) had been providing your **local telephone service** (dial tone) over the resold facilities of SBC California. As you may be aware, In Touch is no longer able to provide your **local telephone service**.

But for the terms of the agreement governing In Touch's service to you, once In Touch's account with SBC California was disconnected, your **local telephone service** would have been disconnected, too. To prevent your service from being disconnected without notice to you, SBC California began providing **local telephone service** to you on October 24, 2003 for a limited transition period. The last day of this limited transition period will be November 17, 2003.

**Important:** In Touch and SBC California have entered into an agreement whereby SBC California has acquired In Touch's rights to provide your local telephone service should you fail to choose another local service provider and arrange for local telephone service with that other **local telephone service** provider by November 17, 2003. This change does NOT affect long distance services you may currently be receiving from an interexchange carrier.

SBC California records indicate that as of October 30, 2003, you have not yet made your selection of a **local telephone service** provider. There are approximately two weeks before the limited transition period ends. Contact numbers for **local telephone service** providers in your area are available in your local telephone directory.

SBC California records indicate that as of October 30, 2003, you have not yet selected another local telephone service provider. There are approximately two weeks remaining before the limited transition period ends and your service will be transferred to SBC California in accordance with applicable rules of the Federal Communications Commission ("FCC") and your state public utility commission.

You have a choice in selecting your telephone service provider.

**1. If You Select SBC California for Local Phone Service by the Selection Date:**

Please contact SBC California at [1-800-955-4296] to make arrangements for local telephone service by November 17, 2003. SBC California has attractive pricing programs and packages for local [business or residential] service that your SBC California representative can discuss with you. SBC California will provide you with the local phone services you request, and it will make local toll and long distance service available to you from the carrier of your choice. SBC California will not charge its customary new connection fee or any other change of carrier charges.

**2. If You Do Nothing by the Selection Date:** If you have not transferred your service by close of business on November 17, your local telephone service will be automatically transferred to SBC California at no cost to you, and you will not

experience any service outage. In accordance with the applicable rules of the FCC and your state public utility commission, services will be provided to you as follows:

a. Local Phone Services - SBC California will provide the same or equivalent local phone services as you were receiving with In Touch at SBC California's approved rate structure. In addition, SBC California will not charge its customary new connection fee or any other change of local carrier charges. See attached summary of SBC California's service terms and conditions for more details. SBC California's rates, terms and conditions will be applicable on the date SBC California becomes your service provider. SBC California will contact you by mail or telephone to advise of any post-transfer changes.

b. Local Toll and Long Distance Services -

1) *Local Toll from In Touch and Long Distance from Another Carrier* - If you used In Touch for local toll but another carrier for long distance, then SBC California will provide your local toll service at SBC California's approved rate structure, and you will continue to receive your long distance service from the same carrier.

2) *Local Toll and Long Distance Customer of Another Carrier* - If you use a long distance carrier for local toll and long distance services, you will receive the same service from the same carrier.

If you have a preferred carrier freeze that prevents unsolicited changes on your local phone, local toll, and/or long distance services, and have not contacted SBC California or another provider by November 17, the freeze will be lifted and your services transferred according to this section. You must contact SBC California to arrange for the freeze protection to be reinstated after the transfer.

c. Service Adjustments - You may make adjustments and changes to your service from SBC California at any time by calling service representatives (per your billing statement).

**3) If You Select Another Provider before the Selection Date:** You must make arrangements with that service provider to actually transfer your service effective on or before November 17, 2003. Your selected carrier will determine the charges for the services you select.

In Touch will no longer make any new changes to your telephone service. In Touch has full responsibility for handling any outstanding complaints or disputes that may exist between you and In Touch or another carrier.

If you have any questions about SBC California's telephone services or features, please contact SBC California at [1-800-955-4296] or visit its web site at <<<www.sbc.com>>>.

SBC California looks forward to meeting your communications needs. Please see attached terms and conditions as well as promotional materials for attractive offers concerning SBC California products and services.

If you have changed your local telephone service provider since October 29, 2003, please disregard this letter.

If you have any questions regarding this letter please call 1-800-667-1086 for a wholesale representative.

Sincerely,

*Daniel Faustmann*

Daniel Faustmann

Manager, Industry Markets - Collections

Attachment A:

#### RATES, TERMS AND CONDITIONS OF SERVICE

Rates for SBC California's Flat Rate Service and for SBC California's Universal Lifeline Telephone Service may vary by location. Depending on your location, your local telephone service will be billed at a monthly rate between \$10.69 - \$17.72 for Flat Rate Service or \$5.70 - \$12.73 for Measured Rate Service. Universal Lifeline Telephone Service is billed at a monthly rate between \$5.34 - \$8.86 for Flat Rate Service or \$2.85 - \$6.36 for Measured Rate Service. A service connection charge of \$4.75 per line will also be billed.

If you decide to order any additional services, a full description of each product or service you order and applicable activation charge will be identified on your service order confirmation and your bill. For additional information, you may visit our website at <<[www.sbc.com](http://www.sbc.com)>>.

A late payment charge of 1.5%, calculated monthly, will be assessed if your payment is not received by the date shown in the Late Charge Reminder section and the unpaid balance is \$20.00 or more. There is a \$6.65 charge for returned checks. If late payment or returned check charges are applicable, they can be found in the SBC California Monthly Charges section of the telephone bill.

If a deposit or advance payment is later required to continue local telephone service with SBC California, these charges will appear in the Additions and Changes section of your telephone bill. Information on interest accrual and refund of deposit can be found in the Customer Guide section of the SBC California Telephone Directory.

Telephone number assignment changes - It is not necessary to change your telephone number with the migration of your service to SBC California. If your number should change in the future, your correct telephone number will be reflected on your bill.

Unless otherwise provided in our tariffs, you may terminate your service at any time, subject to a minimum one-month's billing as set forth in our tariffs.

SBC California lists Customer Information in the Customer Guide section of your SBC California Telephone Directory. If you do not receive a copy of the SBC California Telephone Directory within 10 days of service activation with SBC California, please call 1-800-848-8000.

We value and appreciate your business. We know you will be very satisfied with service from SBC California. If we can be of further assistance, please contact us at 1-800-955-4296.